

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLES B. STARKE, JR.,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	No. 3:22-CV-0835-X-(BH)
	§	
CITY OF DALLAS, STATE	§	
OF TEXAS, et al.,	§	
<i>Defendants.</i>	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge entered Findings, Conclusions, and Recommendations in this case. The Magistrate Judge recommends that this state criminal prosecution be remanded to the proper state court because Mr. Starke has failed to establish his right to removal under 28 U.S.C. § 1443.


Mr. Starke objected to the Magistrate Judge’s findings by arguing that “pro se litigants’ pleadings are not to be held to the same high standards of perfection as lawyers.” [Doc. No. 9.] That is true; however, pro se litigants must still establish federal subject-matter jurisdiction over their cases. As the Magistrate Judge explained in her thorough report, Mr. Starke failed to establish jurisdiction for multiple reasons. For example, Mr. Starke wholly failed to allege that he has been denied a federal right arising under a specific law or statute protecting racial equality, which is a requirement for removal under 28 U.S.C. § 1443.¹

¹ *Johnson v. Mississippi*, 421 U.S. 213, 219 (1975).

After a *de novo* review, the Court **ACCEPTS** the Findings, Conclusions, and Recommendations of the United States Magistrate Judge. By separate judgment, the plaintiff's complaint will be remanded to the 291st District Court of Dallas County, Texas.

IT IS, THEREFORE, ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted.

IT IS SO ORDERED this 6th day of September, 2022.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE